

Sarah Says

Sarah Says – Ah, those Pesky Regulations

By Sarah MacLeod, ARSA Executive Director

There is no doubt from my secretarial background and those four years in law school that poor or sloppy writing makes a lasting negative impression. And while you will likely find typographical errors in this publication, we are all humans who make mistakes. So for me, it's not about whether occasional mistakes are made but the nature and frequency of those errors.

Let's take just one little thing—referencing regulations. I openly admit, when I see improper regulatory citations, my first impression is that the person either does not actually know what the rule states or does not care enough to be professional. If the improper reference is in a government document, my expectations of the author's knowledge dips even lower.

The Federal Aviation Regulations are no longer the "FARs" and haven't been for many years; that acronym refers to the Federal Acquisition Regulations. The "Bluebook" citation, used by lawyers in courts of law, for aviation safety regulations is to Title 14 Code of Federal Regulations (14 C.F.R.); for less formal settings, like guidance material and correspondence, the periods after each capitalized letter are unnecessary.

Within 14 CFR, parts are not sections and sections are not parts. A proper reference for the repair station rules is 14 CFR part 145 (yes, small "p"). It should not be cited as FAR 145 or 14 CFR 145.

The section of 14 CFR part 145 dealing with contract maintenance is 14 CFR section 145.217 or 14 CFR § 145.217, not FAR 145.217 or 14 CFR 145.217. Paragraphs and subparagraphs within each section are denoted by parentheses. For example, the paragraph dealing with maintenance functions under that section is 14 CFR section 145.217(a)(1) or § 145.217(a)(1), not FAR 145.217 a 1, 145.217 A 1 or 14 CFR 217(a)(1).

Communication among and between certificate holders and national aviation authorities should be based upon regulations and facts, not guidance material and speculation. When a reference to the regulation is written improperly, the ability to establish a truly professional relationship becomes problematic. It means we are not paying attention to the details essential to our livelihood.

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I know most will blow off this observation with “ah, she is just a lawyer, the type of person more interested in form over substance.” Just remember, this person is responsible for helping people out of trouble. It is important that I know both form and substance. To avoid having to hire a person to defend an action, it would behoove all to pay attention to the little things that cause the most problems—you know those pesky regulations!

Legal Briefs

Aircraft Parts: Purchase

By Craig Fabian, ARSA Vice President of Regulatory Affairs & Assistant General Counsel

This article follows last month’s Legal Brief, which discussed regulations impacting the sale of parts. Again, this series of articles is presented in conjunction with ARSA’s newly-released online regulatory training; the [next course is scheduled for March 27](#) and will focus on these subjects.

Although, as discussed previously, there are FAA regulations covering the sale of parts, there is nothing in Title 14 Code of Federal Regulations (14 CFR) directly applicable to the purchase of civil aviation articles. However, purchasers must consider the design, production, operation, and maintenance rules to ensure they are able to use the parts.

Part 21 of Title 14 governs the approved design and production of civil aviation articles; design approval, however, does not necessarily carry production approval. The rules specifically state that, unless production approval is obtained, no person may produce a part if it knows or should know the article is reasonably likely to be installed on a FAA type-certificated product (see 14 CFR. § 21.9). The exceptions are standard parts (generally, a part that conforms to an established industry or U.S. government-published specification) and commercial parts (an article that is listed on an FAA-approved commercial parts list included in a design approval holder’s instructions for continued airworthiness), along with certain parts that are not sold (i.e., fabricated by an owner or operator for its own product or by appropriately rated certificate holders for consumption in a repair or alteration).

Both design and production authority is granted by a parts manufacturer approval (PMA) or technical standard order (TSO) authorization (see § 21.1). A PMA covers replacement or modification articles that will be installed in a type-certificated product, and the TSO authorization sets design and performance standards, but does not provide installation authorization. In either case, such parts are produced under FAA approval.

Other production approvals include production certificates (part 21, subpart G) and production under type certificate (part 21, subpart F). An FAA production certificate is the most common form, and covers the holder of the production certificate and its suppliers when producing the “original” aircraft, aircraft engine, or propeller. That is, it does not cover replacement parts produced by those same suppliers for the aftermarket unless direct ship or delegated authority is provided. Care should therefore be taken to ensure purchases involve parts produced under the production approval.

In addition to using proper methods, techniques and practices, part 43 states that maintenance must be performed using materials of such a quality that the article is returned to at least its original or properly altered



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Legal Briefs, continued

condition (14 CFR § 43.13). Care should therefore be taken to ensure that parts meet the approved design to ensure airworthiness of repairs using the parts.

Additional considerations when purchasing parts should include any specific customer requirements that go beyond the aviation regulations. Examples include commercial requirements for “traceability” or limitations on the use of PMA articles in repairs.

We hope you will join our online training for an in-depth discussion of the regulatory and practical business aspects of this subject.

2012

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Regulatory Lookout

What's the Change?

The FAA and European Aviation Safety Agency (EASA) recently issued a revision to [Maintenance Annex Guidance \(MAG\)](#) provisions.

The MAG, originally released on May 3, 2011, details actions U.S.-based FAA certificated repair stations must take to gain EASA part 145 approval under the U.S./EU [Aviation Safety Agreement](#). Change 1 was dated Nov. 22, 2011 and signed by the FAA on Jan. 10, 2012.

Most notably, the revised MAG requires the FAA to include a copy of the letter of investigation and applicant's response to any EASA Form 9 “non-recommendation.” The MAG also states that a non-recommendation does not necessarily lead to certificate action by EASA.

In addition to general grammatical and formalistic modifications, the following significant revisions were also made:

- Added a requirement that the FAA send an annual report to the Joint Maintenance Coordination Board summarizing “systematic issues” of sampling inspection team visits.
- Added an EASA definition of accountable manager.
- Clarified that “Level 1 findings” are required to issue a “non-recommendation” (previously required “one or more significant finding/discrepancy”).
- Reiterated throughout that the EASA supplement must be “customized” to the repair station.
- Removed the requirement that EASA send a renewal invoice to certificate holders 90 days before their EASA certificate expiration. The applicant is now responsible for sending its renewal package to its flight standards district office at least 90 days prior to its EASA certificate expiration.
- Clarified that EASA advance notification for a “one-time special circumstance” working away from a fixed location is not required for repair stations having D100 authorization.
- Clarified that all renewal packages must include a new supplement, a Form 9 and Form 16. All EASA approval holders must have a new supplement in place by Dec. 31, 2012.
- Modified sample EASA supplement text—
 - Clarified that if not the chief executive officer, the accountable manager must “have direct access to the chief executive officer and have sufficiency of maintenance funding allocation.”
 - Clarified that FAA Form 8130-3 dual release instructions should specify that “newly overhauled” be signed off in block 20 against the block 19 maintenance release.

- Added a paragraph noting that the clause “except as otherwise specified” is intended for use on an 8130 dual release form in two instances (1) The case where all required maintenance was not carried out and (2) where the particular maintenance requirement was only EASA-approved.
- Added a table summarizing what maintenance release form should be used depending on the location of the repair station and whether it is for new or used components.
- Added FAA 8130-3/EASA Form 1 dual release sample instructions.
- Added sample audit program.

A document outlining the specific revisions in their entirety is available [here](#).

NTSB Soliciting Comments on FAA Certificate Actions

The National Transportation Safety Board (NTSB) is seeking comments to a [notice of proposed rulemaking](#) (NPRM) that would amend regulations governing FAA certificate action review.

The NPRM follows a December 2010 [Advanced NPRM](#) (ANRPM); in its [comments](#) ARSA took issue with a certificate holder’s inability to challenge the agency’s emergency determination.

The NPRM adds explicit language to permit those accused to attach evidence in the review of emergency determinations. The proposed rule would also change several procedural matters in certificate actions and modify the ability of repair stations to recover fees and costs under the [Equal Access to Justice Act](#).

ARSA is examining the agency’s proposal and will file comments by the April 9, 2012 deadline.

FCC Rejects LightSquared

Users of Global Positioning Systems (GPS) received a sweet Valentine’s Day gift with the Federal Communications Commission’s (FCC) [announcement](#) that LightSquared would be prohibited from proceeding with development of its proposed high-speed wireless network.

The FCC announcement follows the National Telecommunications and Information Administration’s (NTIA) [conclusion](#) that, “LightSquared’s proposed mobile broadband network will impact GPS services and that there is no practical way to mitigate the potential interference at this time.”

NTIA’s findings confirmed the fears of the aviation community that LightSquared’s proposal to create a ground-based wireless broadband network integrated with satellite coverage would cause interference with navigation and weather forecasting. ARSA has been fighting along with other aviation industry groups through the [Coalition to Save Our GPS](#).

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ATA e-BUSINESS PROGRAM

The ATA e-Business Program is pleased to announce the latest revision of Spec 2300, Data Exchange Standard for Flight Operations (Revision 2011.2). Spec 2300 provides a concise set of information standards

and guidelines for the management, configuration and interchange of flight operations technical data.

The specification is designed to enable the cost-effective and efficient exchange of digital flight operations data between information providers and information users. This revision completes the initially defined scope for Spec 2300 and now covers all of the following types of data supporting the FCOM, MMEL/MEL, AFM and QRH:

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Final Documents/Your Two Cents

“Final Documents”: This list includes Federal Register (FR) publications such as final rules, Advisory Circulars (ACs), policy statements and related material of interest to ARSA members. For proposals opened for public comment, see **“Your Two Cents.”** The date shown is the date of FR publication or other official release.

“Your Two Cents”: This is your chance to provide input on rules and policies that will affect you. Agencies must provide the public notice and an opportunity for comment before their rules or policies change. Your input matters. Comments should be received before the indicated due date; however, agencies often consider comments they receive before drafting of the final document begins.

“Final Documents” and **“Your Two Cents”** are available at <http://www.arsa.org/FDYTC>.

ARSA Online: Train to Gain – Registration Open

Out of practice on the real aviation regulations? Stay in top shape with ARSA online training courses!

Registration is open for ARSA’s **March 27 & 28** online live classes on the regulations versus commercial obligations in civil aviation parts sales, purchases, receipt and stocking by a 14 CFR part 145 repair station.

Click [here](#) to review the courses and to register. Hurry – only 30 seats are available for each class!

Noncompliance can cost you - protect your repair station with ARSA Online Training Courses!

A Member Asked

By Sarah MacLeod, ARSA Executive Director

Q: Could you please help me understand the regulatory stance on technical publications and availability to the user community? I know there have been plenty of discussions on this issue, but I am not sure what the rules state.

A: The issue of “technical publication availability” is convoluted and confusing. Basically, “instructions for continued airworthiness” (ICA) are supposed to be generally available to anyone that is “required to comply” with them; unfortunately, the FAA has not clearly defined exactly what constitutes an ICA. It has said that if a component maintenance manual is not listed in the aircraft maintenance manual it is *not* ICA. The rationale is that an aircraft manual need only deal with removing and replacing a “component”.

As for “availability” the agency is trying to establish a policy dealing with “prohibitions” on distribution, but that hasn’t been finalized and basically [will do no good unless a clear definition of ICA is attained](#), but of course that doesn’t stop the FAA from proceeding.

Quality Time

Employment Law & Repair Stations

Check Your Attendance Policy

By Jonathan W. Yarbrough <jarbrough@constangy.com>. Constangy, Brooks & Smith, LLC, 80 Peachtree Rd., Ste. 208, Asheville, NC 28803-3160. © Copyright 2012 Jonathan W. Yarbrough ALL RIGHTS RESERVED

Jonathan is experienced in representing employers in employment law issues; his pragmatic approach can also help keep relationships with employees from becoming difficult. Please contact him for questions regarding employment relationships.

Attendance policies may violate the Americans with Disabilities Act (ADA) because the policy requires employees to disclose the nature of their medical conditions in order for health-related absences to be excused.

The ADA provides that an employer “shall not...make inquiries...as to whether [an] employee is an individual with a disability or as to the nature or severity of the disability, unless such examination or inquiry is shown to be job-related and consistent with business necessity.”

In one case the court found that a “physical capacity evaluation” administered to an employee attempting to return to work after a knee surgery was a “medical examination” barred by the ADA because it “could have revealed a disability.”

In the most recent case, a company asked its employees to disclose the nature of their absences and the conditions for which they sought treatment in order to have their health related absences excused. The company refused to accept doctor’s notes that did not provide information concerning an employee’s medical condition and required more specific notes to verify that she had a legitimate medical reason for her absences. The employee failed to provide the requested information and she was ultimately fired for excessive absenteeism.

In this case the court found that the policy “invites intrusive questioning into the employee’s medical conditions and tends to elicit information regarding an actual or perceived disability.” The company failed to present evidence that it “needed to know the nature of the employee’s medical condition because of excessive absences or in order to protect the health and safety of its other employees.”

Here then, is a sick leave policy that may be problematic:

ANY EMPLOYEE ABSENT FROM WORK DUE TO ILLNESS FOR MORE THAN 2 DAYS OR 6 HOURS IN ANY WORK WEEK, MUST HAVE A DOCTOR'S STATEMENT ON FILE **INDICATING THE NATURE OF THE ILLNESS**. THE DOCTOR'S STATEMENT MUST BE ON FILE IN THE HOME OFFICE BEFORE SICK LEAVE CAN BE PAID.

Here is a modified policy that should work:

ANY EMPLOYEE ABSENT FROM WORK DUE TO ILLNESS FOR MORE THAN 2 DAYS OR 6 HOURS IN ANY WORK WEEK, MUST HAVE A DOCTOR'S STATEMENT ON FILE. **THE DOCTOR'S STATEMENT NEED SIMPLY INDICATE THAT THE EMPLOYEE IS UNDER A DOCTOR'S CARE**. THE DOCTOR'S STATEMENT MUST BE ON FILE IN THE HOME OFFICE BEFORE SICK LEAVE CAN BE PAID.

Note, however, that the Family Medical Leave Act (FMLA) provides that if employees are requesting leave because of their own or a covered relation’s serious health condition, the employee and the relevant health care provider must supply appropriate medical certification in order to determine whether the health condition meets the requirement for an FMLA “qualified” illness. The FMLA, of course, only applies to employers with 50 or more employees and its regulations should be distinguished from ADA requirements that the employer make no inquiries into the health condition of employees unless there is a business necessity.

Making Aviation Exciting to the Youth

By Raymond Thompson <raymond.thompson@wmich.edu>. Western Michigan University, College of Aviation, 237 N. Helmer Rd., Battle Creek, MI 49037 © Copyright 2012 Raymond Thompson ALL RIGHTS RESERVED.

Raymond Thompson is associate dean of the College of Aviation at Western Michigan University. A long time mechanic and commercial pilot, he has been involved in technician education since 1983 in the U.S. and Middle East.

Editor's Note: *This is the second in a series of articles from Mr. Thompson. During the course of this series he will provide information on the importance of supporting AMT schools and the next generation of mechanics.*

Today, air travel is routine. Young people take computers, mobile phones, the Internet, and technology in general as normal. Aviation has lost its aura of excitement, with air travel viewed as a chore, rather than an adventure. Unfortunately, with the exception of becoming a pilot, most young people don’t know much (if anything) about the many high-tech career paths in the aviation industry. How can we excite the next generation of aircraft technicians?

The traditional recruiting zone for post-secondary technical training has been grades 9–12. As interest in aviation, and science, technology, engineering, and math (STEM) programs has declined, *successful* recruiting strategies have changed. Aviation technical programs actively engage students in grades 5–8, with the most aggressive reaching down into the K–5 range.

Given the immaturity of the lower age groups, one may not think a K-5 program would offer any return on investment. Facts have established however, that STEM often loses its luster for female students by grade 8 and by grade 9 or 10 the males are often gone. It is therefore critical to light the spark for technical and engineering careers early in life.

Post-secondary aviation programs engage young people by routinely:

- Hosting facility tours;
- Placing active professionals in front of students to talk about aviation;
- Partnering with local aviation businesses for student visits, and
- Bringing aviation activities to after-school programs.

Active learning is the best way to engage students. The principles of active learning are not new, but as the classroom and teacher are no longer the sole source from which to gain knowledge, they have emerged as one of the best methods for instruction.

For example, when young students visit an A&P school, add hands-on activities to the basic tour. Walking around and looking at static equipment or other people working on things is boring. Engaging their minds and hands not only reinforces learning, but makes a good (or if poorly done, bad) impression.

I once participated in a program for gifted and talented fifth-grade students that engaged them in discipline-specific activities on Saturday mornings. The students came to my composite materials lab for one session. We had a tour of the school's facilities and after examining a composite aircraft, they laminated a six-ply fiberglass and epoxy part that was finished into a clipboard. Their name and our logo were embedded into the laminate. Many years later in my actual composite course, I had two students pull this clipboard out of a backpack to show me they already completed the first course project.

Engagement through active learning is a success path for the government, schools, and industry; it generates excitement in young (and "old") people about aviation maintenance.

Developing cooperative strategy that provides age-appropriate active learning about our field could start with after-school activities such as building and flying a model airplane. This could advance to building parts of a kit aircraft, operating test cells, or taking apart and reassembling an engine.

As students get older, visiting the local repair station and doing hands-on work or job shadowing can provide further motivation to pursue technician training. Ultimately, we need to let young students see what we do, and then let them participate;—it needs to be a highly interactive process.

Next month, we will explore some specific programs that are successfully attracting students into aviation maintenance programs.

Support ARSA's Positive Publicity Campaign

It's no secret; the contract maintenance industry suffers from an image problem. Years of baseless attacks have created a hostile media environment, and worse yet, has blinded some lawmakers and portions of the public to the benefits of aviation contract maintenance.

ARSA's [Positive Publicity Campaign](#) (PPC) confronts these challenges; its message is clear: repair stations make air travel safer, create air carrier efficiencies, contribute to the economy, and generate jobs.

PPC resources support industry economic impact studies, defend the industry in the national media, and monitor media coverage. All industry stakeholders are asked to support the campaign through a financial contribution. Make your [pledge](#) today!

ARSA Action

ARSA Survey Finds the Top Threats

By Christian A. Klein, ARSA Executive Vice President

Thanks to the maintenance industry leaders who participated in our recent 2012 member survey. ARSA's staff and Board of Directors will use the data to enhance programs and advocacy. Among the key survey findings:

- Respondents are optimistic about economic prospects in the coming year; 65 percent expect business and markets to grow and 32 percent expecting no change in the level of economic activity. Only three percent expect business to diminish.

- Economic growth will translate into job creation; more than 60 percent of respondents plan to add workers and positions in 2012; only three percent are planning lay-offs or job cuts.
- Workforce development remains a challenge and become a bigger problem as hiring picks up. More than half of respondents (57 percent) had trouble in the past two years finding qualified workers for technical positions.
- On average, 41 percent of the technicians at companies responding to the survey were certificated by a civil aviation authority. The average *starting* hourly wage in U.S. dollars for entry-level technicians was \$12.92; the median was \$13.50.
- The biggest long-term threat to the aviation maintenance industry is over-regulation and government intrusion. Tied for second place were the FAA (inconsistent interpretation, understaffing, etc.), high fuel prices, and the skilled worker shortage.
- Predatory manufacturer practices are also a problem; seventy-two percent of respondents have seen an increase in restrictive covenants in contracts for maintenance data in the past two years.
- ARSA's programs and activities received high marks (average scores above four on a five point scale), including working with FAA to improve the quality and consistency of regulations and oversight (4.35); providing regulatory compliance assistance to ARSA members (4.23); lobbying on Capitol Hill on issues that affect repair station markets and costs of doing business (4.20); and providing news about regulatory developments affecting repair stations (4.16).
- The biggest opportunities to grow ARSA's value are improving repair station access to manufacturer maintenance manuals; expanding training program offerings (especially regulatory compliance and business law); and facilitating best practices within the industry.
- ARSA publications are well read. Seventy-four percent of respondents read *the hotline* each month, with 41 percent reading it cover to cover. Sixty-three percent read ARSA's *Dispatch* email newsletter each week, with 20 percent reading the entire publication.
- Respondents want ARSA to expand its preferred provider programs. Forty-seven percent said ARSA should consider providing group health insurance, 38 percent want discounted employee background checks, and 33 percent are interested in discounted drug and alcohol testing services.

The online survey was conducted from late January through mid-February. Multiple emails inviting participation were sent to our primary contact at all 443 repair station member companies. The survey system was configured to prevent multiple responses. Ninety-three ARSA members participated, giving the survey a nine percent margin of error and making it a reliable snapshot of ARSA's membership.

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Security Rule Pool: Keep Your Guesses Coming!

With the TSA in **no hurry** to issue a rule for repair station security, the ban on certification of new foreign repair stations will remain in place for the foreseeable future.

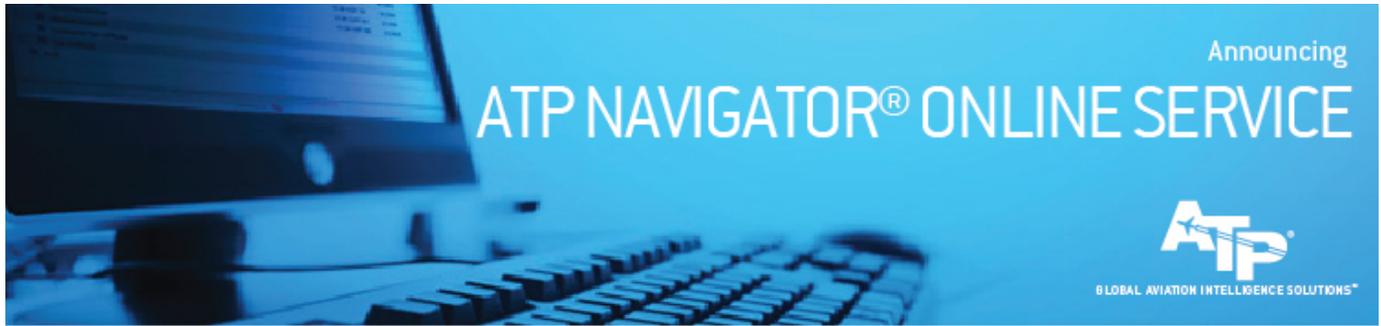
It is anyone's guess as to when the agency will fulfill its congressional demands. ARSA is therefore asking its members, when do you think the TSA will issue its final repair station security rule?

The Pool

The person with the guess closest to the final rule issuance date will win two free admissions to ARSA's Legislative Day and Annual Symposium. The pool will remain open through the end of March.

Take your best guess at <http://survey.constantcontact.com/survey/a07e5k93v6ygy60jr6p/start>.

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Give Your Input: Take Our Audit Survey Now!

ARSA's 2012 audits survey is up and running. This important survey will help ARSA address the overly burdensome regime facing certificated repair stations.

The Association is asking only the primary contact at each member company to set aside time to complete this critically important questionnaire. If you received an email about the survey, you are the primary contact at your company; please complete the survey today. If you are the primary contact and have not received the survey, please contact Keith at keith.mendenhall@arsa.org.

Open until 8 p.m. on March 9, the survey seeks answers to questions that will help ARSA better represent your interests and deliver first class service.

Your participation will help ensure that the hardest working Association can stop the untenable reality of constant, overlapping, and duplicative audits.

ARSA Briefs Wisconsin Providers at Inspection Authorization Renewal Seminar

ARSA Executive Director Sarah MacLeod traveled to Stevens Point, Wis. for the Wisconsin Department of Transportation's Mechanic Refresher and Inspection Authorization (IA) Renewal Seminar.

MacLeod's presentation, "Regulation and Responsibility," outlined the roles government and industry play, and more specifically, IA holder responsibilities. To be successful, an aviation technician must understand the various roles that exist in the industry and develop relationships with regulators and technically knowledgeable individuals, MacLeod told an audience of approximately 300 aviation professionals.

ARSA Lands in “Air Capital of the World”

On Feb. 22, ARSA and [Spirit AeroSystems](#) co-hosted an outreach meeting for repair stations in Wichita, Kan., the “Air Capital of the World.”

The Association welcomed Rep. Mike Pompeo (R-Kan.) to the event and staffers from the offices of Kansas Sens. Jerry Moran (R) and Pat Roberts (R). Pompeo gave an insider’s perspective on happenings in Washington and discussed his support for the aviation community, including [America Flies](#), a grassroots effort to boost general aviation.

Executive Director Sarah MacLeod discussed the recent passage of a new, long-term FAA reauthorization measure and provided a regulatory update on matters of interest to certificated maintenance providers. Rod Cheatham, director of aftermarket operations at Spirit, introduced MacLeod and spoke about ARSA’s value position.

Thanks to all those in Wichita who came out to support your Association!

Positive Publicity Corner

Why We Fight

By Jason Langford, ARSA director of communications

Contract maintenance has a long history of ensuring safety, creating efficiencies, and adding value for all elements of the aviation industry. The maintenance industry is *the* backbone of aviation.

Despite the immense value our industry creates, its contributions are often overlooked; or, worse yet, openly disparaged. It is therefore imperative that we toot our own horn.

Tell your own story or someone else will tell it for you.

It was this philosophy that led to the creation of ARSA’s Positive Publicity Campaign (PPC). The campaign’s purpose is to counter the barrage of negative publicity and halt the spread of misinformation stemming from false safety arguments.

Public opinion research, funded by the PPC, shows that the more the public learns about contract maintenance, the more likely it is to view the industry favorably. Thus, the PPC seeks to improve the regulatory and legislative burdens facing industry by eliminating public pressure on lawmakers to “do something” about safety concerns that don’t exist. Put simply, the PPC is the industry’s tool for spreading The Word.

The PPC benefits the entire maintenance industry – from mom and pop upholstery shops to global MRO providers. I hope you agree and will consider supporting the campaign, no matter what the contribution.

If you have not already done so, [pledge your PPC support today](#), and stay tuned next month, when we will explore what the PPC has accomplished.

Positive Publicity

As part of ARSA’s ongoing [Positive Publicity Campaign \(PPC\)](#), the association is actively working to enhance the media’s understanding of our \$50 billion industry and its vital importance to global civil aviation. To accomplish this goal, ARSA monitors media coverage about aviation maintenance to spread the word about the valuable role repair stations provide their communities in jobs, economic opportunities, and community involvement. These are some of this month’s top stories highlighting the industry’s contributions.

[Tucson Aircraft Repair Firm Poised for Rapid Growth](#) (*Arizona Star*)

[World’s Largest Aircraft MRO Facility in Marana, AZ, to be Re-Launched March 6](#) (*Aviation Pros*)

[Aveos Signs 5-Year Engine Service Contract with Snecma](#) (*Aviation Pros*)

[MTU Maintenance Hannover Provides Maintenance for Atlasjet Airlines](#) (*AviTrader*)

[Marshall Oks Airport Repair Business](#) (*Battle Creek Enquirer (Battle Creek, MI)*)

[Gary Jet Center Owner/Operator Reaches for the Sky](#) (*North West Indiana Times*)

[More Aviation Companies Hired than Fired in 2011, According to JSfirm \(AIN Online\)](#)

[Pistons Donate Former Team Jet to Northland Community & Technical College Foundation \(Crain's Detroit Business\)](#)

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ARSA on the Hill

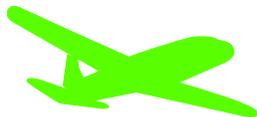
ARSA on the Hill presents a monthly roundup of ARSA's advocacy on Capitol Hill and the Association's efforts in coalition activities aimed at improving the national business climate.

By Daniel Fisher, ARSA Vice President of Legislative Affairs

In February, ARSA continued to educate members about TSA's failure to finalize repair station security regulations and the need for Congress to permit certification of new foreign repair stations. If your company is detrimentally impacted by the foreign repair station ban, please share your story (Daniel.Fisher@arsa.org).

ARSA's legislative team coordinated congressional guests at ARSA's Wichita Outreach luncheon. In addition to area repair stations, Congressman Mike Pompeo (R-KS) and representatives from Sens. Pat Roberts (R-KS) and Jerry Moran's (R-KS) offices were in attendance to hear from ARSA's Executive Director Sarah MacLeod about the Association's activities.

The legislative team conducted a [webinar](#) about the new FAA authorization law, other key policy issues, and how to schedule Capitol Hill meetings. If you need assistance scheduling Hill meetings, please contact Josh Pudnos (josh.pudnos@arsa.org).



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Bills on the Hill

It's Done and We Won! FAA Bill Signed Into Law

Industry engagement helps ensure common sense approach

More than four years and 23 short-term extensions after the nation's last long-term Federal Aviation Administration (FAA) authorization law expired; its replacement was completed.

The House and Senate approved the FAA Modernization & Reform Act ([H.R. 658](#)) in early February and President Obama signed the legislation into law on Feb. 14 (Pub. L. No. 112-95).

"Completion of the FAA bill is a significant victory for the aviation maintenance industry," said ARSA Executive Director Sarah MacLeod. "The legislation allows the industry to reliably deliver the highest quality of service in a manner consistent with its unwavering commitment to safety and security. ARSA is pleased that Congress has respected the delicate framework of international civil aviation oversight and passed a bill that will permit the industry to flourish."

The final reauthorization measure incorporated many legislative changes proposed by ARSA throughout the process and proves that hard, persistent work by the Association and its members will reap benefits. For repair stations, the FAA Modernization & Reform Act:

- Codifies current FAA policy by requiring that part 145 foreign repair stations be inspected annually by FAA safety inspectors in a manner consistent with U.S. obligations under international agreements. It also allows that the FAA may carry out additional inspections based on identified risk.
- Mandates the FAA to create a safety assessment system for part 145 repair stations, an initiative the FAA and ARSA have been working on for some time.
- Subjects all part 145 repair station employees responsible for safety sensitive maintenance functions on part 121 aircraft to drug and alcohol testing consistent with the laws of the country where the repair station is located.
- Ensures effective oversight of non-certificated maintenance providers without undermining the efficiency of the maintenance industry.

"This is a monumental achievement," said ARSA Vice President Gary M. Fortner, vice president of quality control at Fortner Engineering. "The Association was able to work closely with lawmakers to hold back poorly thought-out proposals that would have restricted the ability of small independent repair stations to compete in the global marketplace. The outpouring of grassroots engagement to educate lawmakers about the importance of our industry was truly something to behold."

The legislation, which authorizes \$15.9 billion annually for the agency through 2015, strikes the right balance among safety, oversight, and operational freedom. Last Congress, repair stations were faced with legislation that would have required duplicative biannual inspections of all repairs stations and mandated drug and alcohol testing for overseas maintenance facilities without regard to national sovereignty, effectively forcing repair stations in countries that prohibit random testing to surrender their certificates.

The earlier versions of the bill would have added new layers of bureaucratic oversight and increased costs for repair stations and airlines with no improvement to safety. Most significantly, they would have destroyed the system of bilateral aviation safety agreements (BASAs) that allow U.S. aviation maintenance companies to compete internationally and threatened the United States' \$2.4 billion positive balance of trade in maintenance services.

"It is amazing how far we advanced during this process," said ARSA Government Affairs Committee Chairman David Albert, vice president of government affairs for Chromalloy. "Two years ago, pending legislation would have destroyed the BASA between the United States and the European Union, mandated an onerous schedule of unnecessary and burdensome government inspections, and stifled growth. Facing such a challenge, ARSA and its members battled for the industry's future. Today, that fight has paid off."

"In a final analysis, the FAA reauthorization bill will protect the more than 274,000 Americans employed in civil aviation maintenance," said MacLeod. "While the Association is glad to finish this round of FAA reauthorization, there is still much work to be done in educating all members of Congress about the maintenance industry's important role keeping the flying public safe."

In October 2010, the ARSA Board of Directors approved a dues increase to ramp up the Association's efforts on Capitol Hill. These new resources funded an intense lobbying campaign and allowed ARSA to educate lawmakers and congressional staff about the unintended consequences of their proposals. Ultimately, lawmakers adopted many ARSA suggested improvements to the bill's repair station and non-certificated maintenance language.

Make Sure Your Voice is Heard! Participate in ARSA's Legislative Day

On March 14, ARSA's Legislative Day will provide the opportunity to engage lawmakers and their staff on the issues important to the aviation maintenance industry.

Held in conjunction with the Association's Annual Repair Station Symposium, attendees will be briefed on ARSA's legislative priorities before storming Capitol Hill to discuss the industry's important contributions to aviation safety directly with key policymakers.

Members are encouraged to [sign up for Legislative Day](#) immediately in order to secure meetings with congressional officials. If you need any help setting up your meetings, please contact ARSA's Communications Coordinator [Josh Pudnos](#) at 703 739 9543.

Obama Administration Proposes Significant Corporate Tax Reform

On Feb. 22, Treasury Secretary Tim Geithner announced [President Obama's proposal to reform the corporate tax code](#). The plan would reduce the top corporate tax rate from 35 percent to 28 percent, eliminating various tax loopholes and subsidies to cover the reduced revenue.

Reducing the corporate tax rate, currently the second highest among G8 countries, will help broaden the tax base and make American companies more competitive in the global marketplace. According to Geithner, the new system would incentivize foreign investment, while establishing a new minimum tax on foreign earnings to strengthen domestic spending with an emphasis on growing American manufacturing.

White House officials stated the reform "would refocus manufacturing deductions and use the savings to reduce the effective rate on manufacturing to no more than 25 percent, while encouraging greater research and development and the production of clean energy."

President Obama's proposal would focus on five key elements of business tax reform:

- Eliminate tax loopholes and subsidies to broaden the tax base and reduce the corporate tax rate.
- Strengthen American manufacturing and innovation.
- Strengthen the international tax system, including establishing a new minimum tax on foreign earnings, to encourage domestic investment.
- Simplify and cut taxes for small business.
- Restore fiscal responsibility through revenue-neutral proposals.

Though senior officials at the White House expect the president's corporate tax reform proposal will face steep resistance on Capitol Hill, "the administration believes that the president's framework lays an important foundation and the conversation ahead is a good one to have."

This is the first shot in looming battle over comprehensive tax reform. Stay tuned for updates on the tax reform debate in the coming months and years.

The Charge Defending Aviation Jobs

Rep. Mike Pompeo (R-Kan.) is asking the public to support the aviation industry.

Pompeo launched [americaflies.us](#), to raise the visibility of the aviation community and allow the general public to share its thoughts about the positive impact of the industry. The site is also collecting names on a petition urging the administration to reverse course on proposed policies and taxes targeting the commercial and general aviation industries, such as airport fees, take-off and landing taxes, and aircraft depreciation policies that impede growth.

To sign the petition and share your story about why aviation is important to you and your community visit [americaflies.us](#).

ARSA Members Getting Members Program

There is no better advertisement than a satisfied customer. Members are the best people to get others to join, and we have made it simple—use the information below and get another company to join ARSA and save!

[Here is a letter](#) to use — place it on your letterhead and send it to all your maintenance providers.

Information about ARSA to include in your letter along with an application for membership [may be found here](#). Be sure to include your name on the application so that you can obtain the monetary incentive.

- For each membership referred by an existing member in good standing, the referring member will receive a credit of 10% of the applicant's dues on its forthcoming member renewal.
- The applicant must clearly indicate on its application the name of the member company that referred it for membership.
- The applicant must pay its membership dues before credit is applied to the referring member.

Questions? Contact Jennifer Goodwin at 703 739 9543 or via [email](#).

Have You Seen These Candidates?

Beginning this month and running through October, **the hotline** will introduce readers to the candidates running in some of the closest and most critical Senate campaigns, beginning with Massachusetts. Republican incumbent Sen. Scott Brown is running for reelection following a 2010 special election victory to succeed the late Sen. Ted Kennedy. He will likely face Elizabeth Warren, the Democrat's presumptive nominee.

Sen. Scott Brown (R-Mass.)



Sen. Scott Brown is finishing out the term of former Sen. Ted Kennedy (D-Mass., February 22, 1932 – August 25, 2009).

Brown is a member of the Armed Services Committee, where he is ranking member of the Subcommittee on Airland; he sits on the Subcommittee on Emerging Threats & Capabilities, and the Subcommittee on Strategic Forces; is a member of the Homeland Security & Government Affairs Committee, where he is the ranking member of the Subcommittee on Federal Financial Management, Government Information & International Security, and sits on the Subcommittee on Disaster Recovery, and Subcommittee on Oversight of Government Management, the Federal Workforce, & the District of Columbia. Brown also serves on the Small Business & Entrepreneurship Committee and the Veterans' Affairs Committee

A graduate of Tufts University and Boston College Law School, Brown was a member of the Army National Guard, worked as an attorney, and served three terms in both the Massachusetts House and Senate before his election to the U.S. Senate. Brown lives with his wife, Gail, in Wrentham. They have two children.

Senator Brown's campaign headquarters:

Scott Brown for United States Senate
377 Summer St.
Boston, MA 02210-1707
857-263-8346
<http://www.scottbrown.com>

Elizabeth Warren



Elizabeth Warren is a Democrat running for Senate in Massachusetts.

Warren is a professor at Harvard Law School specializing in bankruptcy and commercial law. Following the 2008 economic crisis, Warren was appointed to lead the Congressional Oversight Panel, which evaluated government bailout and related programs, including the Troubled Asset Relief Program (TARP). Warren is widely credited for the framework and advocacy that led to the creation of the Consumer Financial Protection Bureau.

Warren is a graduate of the University of Houston and the Rutgers School of Law-Newark. She lives with her husband, Bruce, in Boston. They have two children and three grandchildren.

Elizabeth Warren's campaign headquarters:

Elizabeth for MA
5 Middlesex Ave.
First Floor
Somerville, MA 02145-1102
617 286 6715
<http://elizabethwarren.com>

For more information about these and other lawmakers, visit www.ARSAAction.org.

International News

DGCA Asks Employers to Address Duty Time for Maintenance Staff

On Feb. 6, India's Director General of Civil Aviation (DGCA) issued an [airworthiness advisory circular](#) (AAC) No. 1 of 2012 directing maintenance providers to ensure maintenance personnel receive adequate rest.

The DGCA recommends that employers create internal policies that "scrupulously adhere" to an eight hour shift for maintenance workers, including breaks. It further advises that no shifts exceed 12 hours and suggests that company policies should consider the complexity of the work when scheduling personnel.

The AAC also outlines hazards that can arise from working while fatigued, and proposes several guidelines to manage fatigue risks and ensure that workers understand the dangers associated with fatigue.

International Roundup

To provide more international coverage, **the hotline** presents a monthly roundup of world events pertaining to the industry.

[An All Time Record for Lithuanian Airports](#) (*Baltic Times*)

[Billions in Orders Booked at Singapore Airshow](#) (*Aviation Today*)

[Africa Aviation Industry to Maintain Steady Growth](#) (*Costa Week*)

[Nairobi to Host Key Aviation Conference](#) (*The Star (Kenya)*)

[Demand for Aviation Personnel in Mideast: Challenge and Opportunity](#) (*Arab News*)

[Bahamas' PM 'Satisfied' with Aviation Safety System Checks](#) (*The Freeport News (Bahamas)*)

[India's Need for Aerospace Engineers to Grow: Experts](#) (*TwoCircles.net*)

[India Needs to Go Duty free for Developing Aerospace Industry](#) (*ZeeBiz.com*)

[Sikorski Expands Presence in Malaysia](#) (*AIN Online*)

[Strong Growth for Middle East MROs](#) (*Aviation Week*)

Member Spotlight

Aircraft Electric Motors, Miami Lakes, FL

Founded in 1972 by a group of well-educated aviation maintenance professionals, Aircraft Electric Motors provides the ultimate service in the maintenance and rewind of aircraft electrical components; additionally, it does not compete with its customers.

With hundreds of years of collective experience, the company has steadfast skills and knowledge. This allows it to stay ahead of its competitors, delivering top performance for its clients.

From the moment new work arrives until the time it leaves, every detail of the job is examined meticulously to ensure high quality. With an enormous inventory and high-value workmanship from experienced, skilled personnel, Aircraft Electric Motors is able to ensure its customers keep coming back.

For more information on Aircraft Electric Motors, visit <http://www.airelec.com/>.

Are you an ARSA member who would like to be in the "Member Spotlight?" If so, please contact Keith Mendenhall <Keith.Mendenhall@arsa.org>.

Members of the Association may display the Member Web Badge on their company Web site. Contact arsa@arsa.org for information.



Welcome New Members

[Aero Turbine Components Inc.](#), Worcester, MA
[Aerospace Components and Instruments, LLC](#), Siloam Springs, AR
[Austin Aerotech Repair Services, Inc.](#), Cedar Park, TX
[Evans Composites, Inc.](#), Mansfield, TX
[Hale Aircraft, Inc.](#), Hampton, GA
[MEKCO Group, Inc.](#), Miami, FL
[Porter-Strait Instrument Co., Inc.](#), Tulsa, OK
[Power Avionics & Accessories](#), Ft. Lauderdale, FL

Hiring Hints

Top 3 Ways to Fill “Hard to Fill Positions” with MRO Jobs Online

Sometimes a hard to fill position needs a little extra “oomph.” Here are 3 tools that will ensure your job is seen by “hard to find” candidates on the ARSA JobTarget board.

1. **Preferred Jobs** – Make your job “Preferred” and it will always appear at the top of job search results.
2. **Spotlight Jobs** - “Spotlight” your job to highlight it among all the job listings on [MRO Jobs Online](#).
3. **Post to a Broader Network** – Select a “Network” posting option and your job will also appear on other relevant niche job websites.

These options were specifically designed to help you fill your positions more quickly. Upgrade your job posting on [MRO Jobs Online](#) to connect with hard to find candidates!



ARSA Regulatory Compliance Training—Questions

Part 1: General Comprehension

Level 1: For anyone working in aviation

§ 65.81 General privileges and limitations.

(a) A certificated mechanic may perform or supervise the maintenance, preventive maintenance or alteration of an aircraft or appliance, or a part thereof, for which he is rated (but excluding major repairs to, and major alterations of, propellers, and any repair to, or alteration of, instruments), and may perform additional duties in accordance with §§65.85, 65.87, and 65.95. However, he may not supervise the maintenance, preventive maintenance, or alteration of, or approve and return to service, any aircraft or appliance, or part thereof, for which he is rated unless he has satisfactorily performed the work concerned at an earlier date. If he has not so performed that work at an earlier date, he may show his ability to do it by performing it to the satisfaction of the Administrator or under the direct supervision of a certificated and appropriately rated mechanic, or a certificated repairman, who has had previous experience in the specific operation concerned.

(b) A certificated mechanic may not exercise the privileges of his certificate and rating unless he understands the current instructions of the manufacturer, and the maintenance manuals, for the specific operation concerned.

Question 1: Under this rule, a certificated mechanic can supervise maintenance for which s/he is rated if s/he has performed that work before.	Question 2: Under this rule, a certificated mechanic can approve and return to service aircraft, appliances or parts thereof for which s/he is rated if s/he has performed that work before.
A—True. B—False.	A—True. B—False.

Question 3: A certificated mechanic can only exercise the privileges of his/her certificate when s/he understands the maintenance manual instruction for the specific operation involved.	Question 4: If a certificated mechanic with no experience performing a certain task s/he must obtain written approval from their employer before performing that work.
A—True. B—False.	A—True. B—False.

Name _____
Clearly Print the Name of the Person Taking the Test

Date _____
Date Test was Completed

Score _____
Enter as x (number correct) of y (number of questions)

Hours _____
Time Credited for Test

Approved by _____
Signature of Supervisor or Person Administering Test

ARSA Regulatory Compliance Training—Answers

Correct answers are in **bold**

Part 1: General Comprehension

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A—True (Correct answer). B—False.	A—True (Correct answer). B—False.

Question 3: Question.	Question 4: Question.
A—True (Correct answer). B—False.	A—True. B—False (Correct answer; the mechanic can show his/her ability by performing it under the direct supervision of a certificated and appropriately rated mechanic or certificated repairman who has previous experience with the task, or by performing it to the satisfaction of the Administrator).